

BOARD OF COUNTY COMMISSIONERS
Agenda Item Summary

Meeting Date August 18, 2004

Division **County Attorney**

AGENDA ITEM WORDING

Approval of offer to settle code enforcement lien against Gaston Legorburu.

ITEM BACKGROUND

On April 29, 2004, the Special Master found Mr. Legorburu in violation of the code for renovating a kitchen without benefit of permit. Mr. Legorburu obtained the after the fact permit by the compliance date, but was unable to schedule a final inspection until 14 days after the \$200 daily fine began running. Mr. Legorburu has offered to pay the standard \$100 administrative costs that are imposed in every case.

PREVIOUS RELEVANT BOCC ACTION

None.

CONTRACT/AGREEMENT CHANGES

N/A.

STAFF RECOMMENDATIONS

Approval. Because Mr. Legorburu had obtained the permit by the compliance deadline, staff recommends accepting his offer to pay only the \$100 administrative cost.

TOTAL COST

BUDGETED Yes No

COST TO COUNTY

SOURCE OF FUNDS

APPROVED BY: County Attorney ■ OMB/Purchasing ! Risk Management !

DIVISION DIRECTOR APPROVAL:


JOHN R. COLLINS

DOCUMENTATION:

Included !

To Follow !

Not Required !

AGENDA ITEM #

012

**BEFORE THE CODE ENFORCEMENT SPECIAL MASTER
OF MONROE COUNTY, FLORIDA
The Honorable J. Jefferson Overby, Presiding**

MONROE COUNTY, FLORIDA

Petitioner,

vs.

CASE NO.: CE03110077

GASTON E. LEGORBURU, JR.

Respondent(s)

_____ /

SETTLEMENT AGREEMENT

The Petitioner Board of County Commissioners of Monroe County and GASTON E. LEGOBURU, JR., Respondent(s), hereby agree to settle the code enforcement lien imposed in the above-referenced case by the Special Master against property owned by the Respondent(s) as follows:

1. The parties agree to settle the code enforcement lien for \$100.00.
2. The property in question has a legal description of BUTTONWOOD BAY CONDO #B-3, KEY LARGO, MONROE COUNTY, FLORIDA (RE: 00088253-000300).
3. Upon approval of this agreement by the Board of County Commissioners, the Respondent(s) shall remit a check in the amount of \$100.00 made payable to the Board of County Commissioners.
4. Once the aforementioned check has cleared, the County will issue to the Respondent(s) a release and satisfaction of said lien for filing by the Respondent(s) in the Official Records of Monroe County.
5. The County will file a copy of the release and satisfaction in the official Code Enforcement file.
6. By entering into this agreement, the each party agrees to waive any and all claims that it could have raised and/or potential claims that it might have been able to raise as a result of the above-captioned code enforcement case.
7. Both parties warrant that they have had an opportunity to consult with counsel before entering into this agreement.

8. Each party agrees to bear its own costs and attorney's fees other than as specified in this agreement.

ATTEST:

DANNY L. KOLHAGE
CLERK:

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY

By: _____
Deputy Clerk

By: _____
Murray Nelson, Mayor

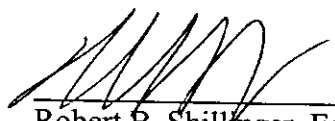
Dated _____

GASTON E. LEGORBURU, JR.
Respondent

Notary Public

By: _____
(date)

This document was prepared and approved for legal sufficiency by:

 7/30/04
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